

U.S. BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

In Re: : Case No. 19-52861
JOSE VILLAVICENCIO : Chapter 7
: Judge JOHN E. HOFFMAN, JR.
:

**SECOND AMENDED MOTION TO EXTEND TIME TO OBJECT TO
DISCHARGE**

Now comes the Debtor, by and through counsel, and pursuant to L.B.R. 4004 (b)(1), respectfully moves this Honorable Court for an Order extending the time to Object to the Discharge .

The grounds supporting issuance of said Order requested are contained in the memorandum in support below.

Herbert N. Strayer, Jr.

/s/ Herbert N. Strayer, Jr.
Herbert N. Strayer, Jr. (0075854)
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MEMORANDUM IN SUPPORT

Debtor filed the above captioned Chapter 7 petition on May 1, 2109. Debtor's counsel filed a motion to withdraw on June 27, 2019. The Motion was granted on July 23, 2019. On October 15, 2019 Attorney Herbert Strayer filed a notice of appearance on behalf of the Debtor. At the time counsel for Debtor was recovering from an extensive illness and has only recently gotten back to work full-time. The objection to discharge is currently scheduled for 12/31/2019.

Debtor currently has an adversary proceeding filed by the United States Trustee requesting that his discharge be denied. Although Debtor and counsel have been working together to modify some of his schedules and income information all information is not yet complete.

On December 31, 2019 Debtor filed a motion requesting that the discharge be delayed 30 days Debtor is still in the process of obtaining records that will complete his income expense statements.

Debtor is requesting to delay the objection to discharge deadline 60 days to allow him to amend his schedules to comply with the U.S. Trustee's request. The remaining time will allow adversarial parties time to review any amendments.

WHEREFORE, based upon the foregoing, the Debtor respectfully requests this Court for an Order delaying the Discharge Date 60 days.

Respectfully Submitted,

/s/ Herbert N. Strayer, Jr.
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NOTICE OF MOTION TO EXTEND TIME TO OBJECT TO DISCHARGE

Jose Villavicencio (Case No. 19-52861) has filed papers with the court to obtain (relief sought in the motion to modify to extend deadline to object to discharge).

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the Motion to Extend Time to Object to Discharge, then on or before **twenty-one (21) days from the date set forth in the certificate of service for the Motion to Extend Time to Object to Discharge**, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail to: United States Bankruptcy Clerk of Court, 170 N. High Street, Columbus, OH 43215 OR your attorney must file a response using the court's ECF System.

The court must receive your response on or before the above date. You must also send a copy of your response either by 1) the court's ECF System or by 2) regular U.S. Mail to

Herbert N. Strayer, Jr., 1071 S. High Street, Columbus, OH 43206,
Jose Villavicencio, 3339 Daglow Road, Columbus, OH 43232

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If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in Amended Chapter 13 Plan and may enter an order granting that relief without further hearing or notice

CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2020 a copy of the foregoing, Second Amended Debtor's Motion Extend Time to Object to Discharge and, 21 Day Notice, were served on the following registered ECF participants, electronically through the court's ECF System at the email address registered with the court:

US Trustee
Chapter 7 Trustee Myron Terlecky

And via regular U.S. Mail:

Debtor: Jose Villavicencio, 3339 Daglow Road, Columbus, Oh 43232

/s/ Herbert N. Strayer, Jr.
Herbert N. Strayer, Jr. (0075854)